

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re:

**MIDNIGHT MADNESS DISTILLING LLC,
Debtor.**

**BONNIE B. FINKEL, in her capacity as Chapter 7
Trustee for Midnight Madness Distilling LLC,**

Plaintiff,

v.

**CASEY PARZYCH; SHAWN SHEEHAN; ANGUS
RITTENBURG; KELLY FESTA; ASHLEIGH
BALDWIN; MICHAEL BOYER; R.F. CULBERTSON;
GARY PARZYCH; RYAN USZENSKI; POLEBRIDGE,
LLC; GOOD DESIGN, INC.; AGTECH PA LLC;
AGTECH VI, LLC; XO ENERGY WORLDWIDE,
LLLP; XO EW, LLC; CAN MAN LLC; BEST BEV,
LLC; ETOH WORLDWIDE, LLC; CANVAS 340, LLC;
FINLAND LEASING CO., INC.; and EUGENE T.
PARZYCH, INC..**

Defendants.

**CHAPTER 7
Case No. 21-11750-MDC**

Adv. No. 23-00047-MDC

JURY TRIAL DEMANDED

NOTICE OF MOTION

Moving Defendants¹ have filed the *Moving Defendants' Rule 12(b)(6) Motion to Dismiss for Failure to State a Claim Upon Which Relief Can be Granted*, together with a memorandum of law and proposed order (the "Motion") [Adv. D.I. 17], in the above-captioned adversary proceeding.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult an attorney).

¹ The Moving Defendants are Casey Parzych; Angus Rittenburg; Kelly A. Festa; Ashleigh Baldwin; Michael Boyer; R.F. Culbertson; Polebridge, LLC; Good Design, Inc.; AgTech PA LLC; AgTech VI, LLC; XO Energy Worldwide, LLLP; XO EW, LLC; Best Bev, LLC; EtOH Worldwide, LLC; Canvas 340, LLC; and Shawn Sheehan.

1. If you do not want the Court to grant the relief sought in the Motion or if you want the court to consider your views on the Motion, then on or before October 6, 2023, you or your attorney must do all of the following:

- a. file an answer or objection explaining your position at:

Clerk, United States Bankruptcy Court
Robert N.C. Nix Building
900 Market Street, Suite 400
Philadelphia, PA 19107-4299

- B. serve a copy of your answer or objection upon Moving Defendants' counsel:

Stephen M. Packman
Douglas G. Leney
Mariam Khoudari
ARCHER & GREINER, P.C.
Three Logan Square
1717 Arch Street, Suite 3500
Philadelphia, PA 19103
Phone: (215) 963-3300
Fax: (215) 963-9999
spackman@archerlaw.com
dleney@archerlaw.com
mkhoudari@archerlaw.com

2. If you or your attorney do not take the steps described in paragraphs 1(a) and 1(b) above, the Court may enter an order granting the relief requested in the Motion without a hearing.

3. **A telephonic hearing on the Motion** is scheduled to be held on October 18, 2023 at 10:30a.m. (ET) before Chief Judge Magdeline D. Coleman. Unless the court orders otherwise, the hearing on this contested matter will be an evidentiary hearing. The hearing will be conducted by telephone at 877-336-1828, access code 7855846.

4. If a copy of the Motion is not enclosed, a copy of the Motion will be provided to you if you request a copy from the attorney named in paragraph 1(b).

5. You may contact the Bankruptcy Clerk's office at 215-408-2800 to find out whether any hearing has been cancelled because no one filed an answer.

Date: September 18, 2023

ARCHER & GREINER, P.C.

/s/ Stephen M. Packman

Stephen M. Packman

Douglas G. Leney

Mariam Khoudari

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